

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

Plaintiff,

v.

**NOTICE RE DEFENDANT  
GUILLERMO HERRERA'S REQUEST  
FOR CLARIFICATION RE FILING OF  
DISCOVERY AS EXHIBITS**

GUILLERMO HERRERA, *et al.*,

Defendants.

Defendant Guillermo Herrera seeks clarification regarding whether FBI and ICE reports may be filed on the public docket (Dkt. No. 3219). In general, if the relevant FBI or ICE report is appropriately redacted to prevent disclosure of protected witness identities or other protected information, it may be filed on the public docket. Counsel should keep in mind, however, that unredacted versions of publicly-filed redacted reports should be lodged for sealed filing (along with a proposed sealing order) where the relevant motion is dependent on the redacted material.

If the government has any objection to the filing of redacted FBI or ICE reports on the public docket, it should immediately notify the parties of the reason for such objection.

Dated: February 1, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE